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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,569	05/25/2000	Kiyonori Sekiguchi	P19529	6332

7055 7590 03/19/2004

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EXAMINER	
LIN, KENNY S	

ART UNIT	PAPER NUMBER
2154	11

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/577,569	SEKIGUCHI, KIYONORI	
	Examiner	Art Unit	
	Kenny Lin	2154	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☒ The period for reply expires *3* months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *The arguments are not persuasive*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: *none*.

   Claim(s) objected to: *none*.

   Claim(s) rejected: *12-24*.

   Claim(s) withdrawn from consideration: *none*.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☒ Other: *see other sheet.*

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Advisory Action

In the remark, applicant argued that: (1) Akatsu and Lo did not disclose how a transmitting apparatus not having an IP address inputs the IP address assigned to the receiving apparatus, when the transmitting apparatus that does not have the IP address sends an Internet-frame to the receiving apparatus. (2) Akatsu does not disclose a transmitting apparatus not having an IP address which inputs an IP address assigned to a receiving apparatus through an input device. (3) Lo does not disclose that a transmitting apparatus not having an IP address, through an input device, inputs an IP address assigned to a receiving apparatus. (4) Applicant traverses and submits that the obviousness asserted by the Examiner does not flow from the prior art of record.

Examiner traverse the argument:

As to points (1) and (2), Akatsu taught an input device using an address mapping table and an address mapping method to input IP addresses (managing node, col.9, lines 2-19, col.14, lines 11-67, col.15, lines 1-52). Lo taught a gateway for bridging data of different communication domains to include a controller to generate an Internet-frame based on the data received from the transmitting apparatus an IP address which is assigned to a receiving apparatus (col.1, lines 45-49, col.4, lines 52-57, col.5, lines 13-14, col.6, lines 1-19, 31-37, 43-46, col.8, lines 32-43); and to send the Internet-frame to the receiving apparatus through the communicator (col.6, lines 43-46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Akatsu and Lo because Lo's teaching of reformatting the received data and an IP address provides Akatsu's gateway to reformat data to support all

communication standards (col.1, lines 40-49, col.2, lines 56-57, col.4, lines 52-55). Akatsu and Lo did not specifically teach that the transmitting apparatus does not have an IP address. However, since Lo taught to support any communication standard (col.4, lines 52-55), it would have been obvious to one of ordinary skill in the art to use non-IP apparatuses in a communication domain as transmitting apparatuses to send data to be bridged to another communication domain. For example, one would have been motivated to use a digital camera as a transmitting apparatus not having an IP to transmit data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use non-IP apparatus as the transmitting apparatus in Akatsu and Lo's system since Lo taught to support and bridge any communication standard data (col.4, lines 52-55). In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

As to point (3), Examiner admits that Lo does not disclose a transmitting apparatus, through an input device, inputs an IP address assigned to a receiving apparatus. However, such feature is taught and disclosed by Akatsu. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

As to point (4), In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Lo taught to support any communication standard (col.4, lines 52-55), it would have been obvious to one of ordinary skill in the art to use non-IP apparatuses in a communication domain as transmitting apparatuses to send data to be bridged to another communication domain. For example, one would have been motivated to use a digital camera as a transmitting apparatus not having an IP to transmit data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use non-IP apparatus as the transmitting apparatus in Akatsu and Lo's system since Lo taught to support and bridge any communication standard data (col.4, lines 52-55).

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